

**AFFIDAVIT IN SUPPORT OF APPLICATION FOR
CRIMINAL COMPLAINT AND ARREST WARRANT**

1. I, Zachary Mullin, being duly sworn, hereby depose and state: I am a Special Agent with the United States Department of Justice, Federal Bureau of Investigation (FBI). I have been employed by the FBI as a Special Agent since August, 2023. As such, I am an “investigative or law enforcement officer of the United States” within the meaning of Title 18, United States Code, § 2510 (7). That is, I am an officer of the United States, who is empowered by law to conduct investigations regarding violations of United States law, to execute warrants issued under the authority of the United States, and to make arrests of the offenses enumerated in Title 18, United States Code, § 2252A(a)(2). Prior to my employment with the FBI, I served as a soldier in the United States Army for approximately five years. I am currently a member of the FBI Safe Streets Peninsula Task Force (SSPTF). In the course of my duties, I am responsible for investigating crimes which include, but are not limited to, violent crimes, criminal organizations, crimes against children, and robberies. Since joining the FBI, your affiant has received specialized training in criminal investigations, identifying and seizing electronic evidence, recovery, and social site investigations. Your Affiant has also become familiar with and utilized a wide variety of investigative techniques, including but not limited to the development of cooperating sources, source debriefings, physical surveillance, telephone call detail record analysis, the use of pen register and trap and trace devices, and the interception of wire and electronic communications. These investigations have led to numerous arrests and convictions for violations of federal laws.

2. Based on my training, experience, and discussions with other law enforcement officers, I have probable cause to believe that IAN HIGGINBOTHAM committed the following offense in violation of federal law: criminal contempt of the authority of the United States

District Court for the Eastern District of Virginia by willful disobedience and resistance to lawful writs, process, orders, rules and decrees, in violation of 18 U.S.C. § 401(3).

**PROBABLE CAUSE IN SUPPORT OF
CRIMINAL COMPLAINT AND ARREST WARRANT**

3. IAN HIGGINBOTHAM, the defendant herein, is a resident of Hampton in the Eastern District of Virginia. At the times relevant, the defendant has resided on North King Street, in Hampton VA.

4. The United States is investigating a homicide that occurred on November 6, 2024, at an apartment complex off North King Street in Hampton VA. HIGGINBOTHAM was present at the scene of the homicide, having survived a gunshot wound from the main subject of the investigation. The other victim was mortally wounded after sustaining a gunshot to the arm and chest. HIGGINBOTHAM was present for the homicide and has material information relevant to the criminal investigation.

5. Your affiant located HIGGINBOTHAM by surveilling his known residence, which is the same apartment building where above-described homicide occurred. Your affiant recognized HIGGINBOTHAM from photos, body-worn camera footage, and other materials collected by law enforcement during the course of the homicide investigation.

6. On May 6, 2025, your affiant served HIGGINBOTHAM with a grand jury subpoena, which commanded him to appear on May 13, 2025, at 9:30 a.m. at the U.S. District Court located at 2400 West Avenue, Suite 100, Newport News, Virginia 23607. HIGGINBOTHAM was served in person and acknowledged receipt of the subpoena. *See* Government Exhibit No. 1.

7. On May 13, 2025, your affiant came to the federal courthouse in Newport News and waited for several hours. HIGGINBOTHAM did not appear as directed on that day.

8. Following grand jury on May 13, 2025, your affiant awaited contact from HIGGINBOTHAM regarding why he did not comply with a lawful subpoena from this Court. Upon service of a second grand jury subpoena on June 2, 2025, HIGGINBOTHAM offered no explanation as to why he failed to appear on May 13, 2025.

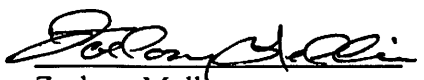
9. On June 2, 2025, your affiant served HIGGINBOTHAM with another grand jury subpoena, which commanded him to appear on June 9, 2025, at 9:30 a.m. at the U.S. District Court located at 2400 West Avenue, Suite 100, Newport News, Virginia 23607. HIGGINBOTHAM was served in person and acknowledged receipt of the subpoena. *See* Government Exhibit 2. Agents took photos of HIGGINBOTHAM with the subpoena in hand.

10. On June 9, 2025, agents went to the federal courthouse in Newport News and waited for several hours. Your affiant went to the known residence of HIGGINBOTHAM and attempted to contact him regarding his failure to appear. Your affiant continued to search for HIGGINBOTHAM in the surrounding neighborhoods and areas for several hours. HIGGINBOTHAM did not appear as directed on that day and was not found by agents.

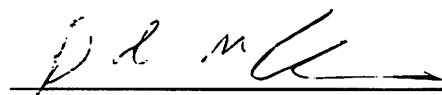
11. Following grand jury on June 9, 2025, agents awaited contact from HIGGINBOTHAM regarding why he did not comply with a lawful subpoena from this Court. HIGGINBOTHAM has not made any contact with agents, and agents have not located him after failing to appear a second time.

12. This affidavit contains only enough information to establish probable cause and does not contain all the facts or information known to members of the investigative team.

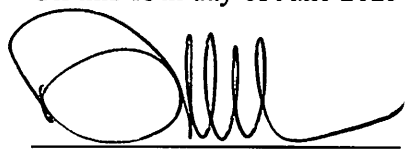
13. WHEREFORE, based upon the above information, your affiant believes probable cause exists to charge IAN HIGGINBOTHAM with committing the following offense in violation of federal law: criminal contempt of the authority of the United States District Court for the Eastern District of Virginia by willful disobedience and resistance to lawful writs, process, orders, rules and decrees, in violation of 18 U.S.C. § 401(3).


Zachary Mullin
Special Agent
Federal Bureau of Investigation

Read and approved:


D. Mack Coleman
Assistant United States Attorney

Sworn and subscribed to me
On this 13th day of June 2025


Douglas E. Miller
United States Magistrate Judge
Norfolk, Virginia